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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,973	11/28/2001	Hye-Dong Kim	09/061,001/2 NPI 800	5327

75-01 07/11/2002  
MCGUIRE WOODS LLP  
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MCLEAN, VA 22102

EXAMINER

SEEFER, AHMED N

ART UNIT	PAPER NUMBER
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2826

DATE MAILED 07/11/2002

Please find below and or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/991,973

Applicant(s)

KIM ET AL

Examiner

A Sefer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133)
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 13-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statement(s) (PTO-1449, Paper No(s) \_\_\_\_\_)
4. ☐ Interview Summary (PTO-413, Paper No(s) \_\_\_\_\_)
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of Group I (claims 1-12) in Paper No. 6 is acknowledged.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 2 recites the limitation "the anode electrode". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1 and 6-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuribayashi et al. US Patent 6,215,244.

Kuribayashi et al disclose in figs. 5 and 13-17 an organic EL device, comprising a thin film transistor (TFT) array substrate including a first insulating substrate, a TFT and a capacitor Cs formed on the first insulating substrate; and an organic EL substrate including a second insulating substrate, a transparent electrode 62/21, an organic EL layer 3 and a metal electrode 41, wherein the TFT is electrically connected to the metal electrode, wherein the transparent electrode, the organic EL layer and the metal electrode are sequentially stacked on the second insulating layer (as in claim 12).

As to claim 6, Kuribayashi et al disclose a conductive interface pad 111 connected to the TFT and a conductive bump 131 formed on the conductive interface pad, the conductive bump pad contacting the metal electrode of the organic EL substrate by a conductive bonding agent 121, wherein the bonding agent is an anisotropic conductive film (as in claim 7).

As to claim 9, Kuribayashi et al disclose a conductive interface pad 111 and a conductive bump pad 131 formed on the interface pad, and the organic EL substrate further includes a polymer bump 121, wherein the conductive bump pad contacts a portion of the metal electrode corresponding to the polymer bump by a conductive bonding agent, wherein the bonding agent is an anisotropic conductive film (as in claim 10)

As for claims 8 and 11, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in

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order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

7. Claims 1 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Fukunaga et al. US PG-Pub 2001/0011868.

Fukunaga et al disclose in figs. 4 and 5 an organic EL device, comprising a thin film transistor (TFT) array substrate including a first insulating substrate, a TFT 401/402 and a capacitor 504 formed on the first insulating substrate; and an organic EL substrate including a second insulating substrate, a transparent electrode, an organic EL layer 331/332 and a metal electrode 326, wherein the TFT is electrically connected to the metal electrode, wherein the transparent electrode, the organic EL layer and the metal electrode are sequentially stacked on the second insulating layer (as in claim 12).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Sefer whose telephone number is (703) 605-1227.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on (703) 308-6601.

ANS

July 8, 2002

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